

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
	§	
V.	§	Civil Action No.:3:11-CV-1049-M
	§	(SEALED CASE)
HORACE SMITH,	§	
	§	
Defendant,	§	
	§	
V.	§	
	§	
O'CONNOR & ASSOCIATES,	§	
	§	
Garnishee.	§	

STANDING ORDER OF REFERENCE
AND NOTICE OF OPTION TO CONSENT TO
PROCEED BEFORE THE MAGISTRATE JUDGE

This case is hereby referred to United States Magistrate Judge Renée Harris Toliver for pretrial management. All non-dispositive motions are prospectively referred to the Magistrate Judge for determination. All dispositive motions are prospectively referred to the Magistrate Judge for report and recommendation. All other pretrial matters, including scheduling and possible alternative dispute resolution, are referred to the magistrate judge for appropriate action consistent with applicable law. Judge Toliver will issue a separate order governing the filing and disposition of pretrial motions.

I.

The parties may consent to have all further proceedings in this case, including a jury or non-jury trial, conducted by the Magistrate Judge. See 28 U.S.C. Section 636(c). In this regard, the attorneys shall advise their clients that Judge Toliver will likely be able to give this case a special trial setting. This Court is unable to accommodate such a request because of criminal cases and older civil matters that take precedence on its docket. Alternatively, the parties may consent to have the Magistrate Judge make final rulings on case dispositive motions, while reserving their right to trial before the District Judge. A consent form is attached for your convenience. This form must be completed by each party and returned to the district clerk within 20 days from the date of this Order. Any party is free to withhold consent without substantive adverse consequences.

II.

If all parties consent to the authority of the Magistrate Judge for all purposes, the case will be transferred to Judge Toliver. An appeal from a judgment entered by the Magistrate Judge will be taken directly to the appropriate United States court of appeals in the same manner as an appeal from any other judgment of a district court.

III.

If all parties do not consent, the case will remain with Judge Toliver for pretrial management. Judge Toliver will issue a scheduling order and preside over all pretrial matters, including determining all non-dispositive motions and making recommendations on all dispositive motions.

IV.

Any questions concerning this Order or any matter related to this case should be directed to Nancy Spencer, Court Coordinator to Magistrate Judge Toliver at 214/753-2169.

IT IS SO ORDERED.

Signed July 15, 2011, at Dallas, Texas.

A handwritten signature in black ink, reading "Barbara M. G. Lynn". The signature is written in a cursive style with a large, looping initial "B".

BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS